

Task Force on the Future for Growth and Development in Maryland

November 12, 2008 / 1:00 AM – 4:00 PM

The Maryland Department of Planning

Baltimore, Maryland

Meeting Summary

Members: Jon Laria, David Beall, Jerry Boden, Karl Brendle, Joan Carter Conway, Virginia Clagett, Sandy Coyman, Jan Gardner, Carol Gilbert, Janet Greenip, Richard Hall, Don Halligan, Frank Hertsch, Brigid Kenney, Gerrit Knaap, Vanessa Orlando, Dru Schmidt-Perkins

Attendees: Erin Appel, Don Ballentine, Marty Baker, Jamie Bridges, Peter Boussein, Cristen Flynn, Alan Girard, LaAndra Jones, Dominick Murray, John Papagni, Izzy Patoka, Jim Peck, Frank Principe, Mike Sherling, Kurt Sommer, Caroline Varney-Alvarado, Victoria Woodward

MDP Staff: Amanda Conn, Jenny King, Marco Merrick, Nery Morales, Matt Power

Welcome/Administrative Matters

The Chair welcomed all attendees to the meeting and reviewed the goals and agenda for the meeting. The focus of this meeting was to review existing recommendations from the PFA and APFO workgroups, and

Amanda Conn briefly reminded the Task Force of their requirement to submit a State Financial Disclosure form. All questions regarding this form should be directed to Amanda Conn or Shelley Wasserman at MDP.

APFO Recommendations

The Chair reviewed the APFO recommendations and highlighted the changes made to the recommendations since the October 27, Task Force meeting.

The group reviewed the APFO recommendations and specifically focused on recommendation number eight. This recommendation has a few different options, which were reviewed and discussed by the Task Force.

OPTION A: Because of their unique role in providing for the education of children, schools were not subject to PFA spending requirements under the 1997 Planning Act. The State, in conjunction with the counties and local boards of education, should study the advantages and drawbacks of making school construction decisions subject to PFA review in the same way that other State spending decisions are made.

OPTION B: Amend the 1992 Planning Act and 1997 Smart Growth and Neighborhood Conservation Act to make school construction decisions subject to PFA review in the same way that state spending decisions on water and sewer and transportation infrastructure are. This would restrict funding of school capacity projects that are not located within priority funding areas with an exception process through the Board of Public Works. (Will require amending § 5B-7B-07 of the State Finance and Procurement Law.)

- PFA review should be restricted to projects that increase student seating capacity. PFA review would be applied to:

a. New schools;

b. Replacement schools that increase capacity above the capacity of the demolished or abandoned facility;

c. Additions that are only for capacity purposes, and not for the two purposes described in c. below.

- PFA review should not be applied to:

a. Renovation of existing facilities, when no new capacity is added (this would include full renovation, limited renovation, and systemic renovation categories of work);

b. Replacement projects that do not increase capacity, e.g. a replacement at the same State Rated Capacity as the demolished facility;

c. Projects that increase capacity but serve either of these two educational objectives:

i. Additions for full-day kindergarten or for pre-kindergarten for economically disadvantaged children, in fulfillment of the requirements of the Bridge to Excellence in Education Act of 2002.

ii. Additions to provide high school science facilities, when renovation of existing space is not an option due to technical constraints.

- Standards should be set for exceptional circumstances that could be presented by a school system to allow a capacity project to be built outside of a PFA. As with transportation and water and sewer projects, an exception to fund a school capacity project outside a PFA would require Board of Public Works approval

- Standards could include (among others to be developed):

a. All other means of satisfying the educational need have been explored and have been found to be either unavailable or impracticable;

b. The exception will serve the public interest in other ways (e.g.: the site outside the PFA allows for joint-use opportunities with the recreation or parks department that would not be available with the sites within the PFA.)

An extensive discussion was held regarding the PFA review and exception process. MACo expressed their concerns regarding certain recommendations and existing schools. The Chair recommended that MACo and other members concerned with this issue try and reach a consensus before the next meeting

The complete set of APFO recommendations is located on the Task Force website:
<http://www.mdp.state.md.us/773/>

Task Force Recommendations

The Chair proceeded to reviewed all the proposed Task Force recommendations, including all amendments from the October 27, Task Force meeting. A complete listing of these recommendations is located on the Task Force's website: <http://www.mdp.state.md.us/773/>

MACo expressed concern about the Terrapin Run recommendation, particularly about turning comprehensive plan into a binding legal document.

The remainder of the meeting consisted of the Chair, Mr. Jon Laria reading through each recommendation and discussion by the Task Force of the draft recommendations.

Public Comments

No public comments.